	Case 3:06-cv-02361-WHA Dod	cument 110	Filed 12/15/06	Page 1 of 3	
1 2 3 4 5 6 7 8 9 10 11 12 13	KEKER & VAN NEST, LLP JEFFREY R. CHANIN - #103649 DARALYN J. DURIE - #169825 ASHOK RAMANI - #200020 710 Sansome Street San Francisco, CA 94111-1704 Telephone: (415) 391-5400 Facsimile: (415) 397-7188 Attorneys for Plaintiff and Counterc NETFLIX, INC. ALSCHULER GROSSMAN STEIN MARSHALL B. GROSSMAN - #33 WILLIAM J. O'BRIEN - #99526 TONY D. CHEN - #176635 DOMINIQUE N. THOMAS - #2314 The Water Garden 1620 26th Street Fourth Floor, North Tower Santa Monica, CA 90404-4060 Telephone: 310-907-1000 Facsimile: 310-907-2000 Attorneys for Defendant and Counter BLOCKBUSTER INC.	N & KAHAN 5958 464			
1415	UNITED STATES DISTRICT COURT				
16	NORTHERN DISTRICT OF CALIFORNIA				
17	NETTER IV DVC	1	G N G0622	(1 WHI A (100)	
18	NETFLIX, INC., a Delaware corpor		Case No. C 06 23	, ,	
19 20	P. v.	laintiff,	STIPULATION AND [PROPOSED] ORDER FOR ONE-DAY EXTENSION OI TIME FOR SUBMISSION OF STIPULATION REGARDING		
21	BLOCKBUSTER, INC., a Delaware corporation, DOES 1-50,	e	DISCOVERY D		
22	-	endant.	Hearing Date: Time:	Jan. 12, 2007 9:30 A.M.	
23	AND DELATED COUNTED CLAIM	MC	Courtroom: Magistrate Jud	A, 15th Floor ge: Joseph C. Spero)
24	AND RELATED COUNTERCLAIN	VIS	Complaint File	ed: April 4, 2006	
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STIPULATION AND [PROPOSED] ORDER FOR ONE-DAY EXTENSION OF TIME FOR SUBMISSION OF STIPULATION REGARDING DISCOVERY DISPUTES CASE NO. C 06 2361 WHA (JCS)

Plaintiff and Counter-Defendant, Netflix, Inc., and Defendant and Counterclaimant, Blockbuster Inc., through their respective counsel of record, hereby stipulate and agree as follow:

- 1. It was previously stipulated and ordered that the parties file by December 14, 2006, a stipulation detailing the orders that they agree the Court should make on (a) Netflix's pending motion to compel further responses from Blockbuster to Netflix's First Set of Requests for Production, (b) Netflix's pending motion for a protective order as to certain Blockbuster document subpoenas to third-parties, and (c) Blockbuster's pending motion to compel further responses from Netflix to Blockbuster's First Set of Requests for Production, along with a description of whatever issues remain for decision by the Court regarding those motions. These three motions are currently scheduled for hearing on January 12, 2007.
- 2. Counsel for Netflix and Blockbuster conducted an additional in-person conference about these motions on December 8, 2006, and have been working diligently to resolve the outstanding issues. The parties have now reached agreement on the large majority of these issues, and there appears to be a serious prospect that they will be able to resolve every such issue. However, unanticipated complexities have arisen late in the process of trying to define and document a mutually satisfactory resolution of the few remaining issues, and counsel are unexpectedly finding themselves unable to complete the stipulation before midnight December 14, 2006.

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3. The parties therefore stipulate and respectfully request that the time for 1 filing of the stipulation referred to above be extended one day to December 15, 2006. 2 3 Dated: December 14, 2006 KEKER & VAN NEST, LLP 4 5 6 By: <u>/S/</u> Eugene Paige 7 Attorneys for Plaintiff and Counte/claim Defendant, NETFLÍX, INC. 8 Dated: December 14, 2006 ALSCHULER GROSSMAN STEIN & KAHAN LLP 9 10 11 By: /S/ William J. O'Brien 12 Attorneys for Defendant and Counterclaimant, BLOCKBUSTER INC. 13 14 15 PURSUANT TO STIPULATION, IT SO ORDERED. 16 17 December 15, 2006 18 Dated: _ **HONORABI** Judge Joseph C. Spero 19 UNITED STATE 20 21 22 23 24 25 26 27 28

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